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TAGS: [PREL](#) [PGOV](#) [ETRD](#) [ECON](#) [KIPR](#) [MO](#)
SUBJECT: PARLIAMENT: SOME MP'S GROUSE ABOUT PRESSURE TO
PASS FTA LEGISLATION

REF: RABAT 2504 AND PREVIOUS

Classified By: Political Counselor Timothy Lenderking for Reasons 1.4 (b), (d)

¶1. (C) While the U.S. Mission is extremely pleased with the December 16 passage by the Moroccan parliament of the remaining provisions of FTA-related legislation (reftels), several members of the Moroccan Parliament's (MP) lower house (Chamber of Representatives) have expressed privately their frustration with the intense pressure placed on parliament by the Moroccan Government (GOM) to push through the legislation. Speaking at a dinner on December 16 hosted by MP Ahmed Zarouf (Popular Movement), former Minister of Human Rights Mohamed Auajjar (National Rally of Independents) complained to Poloff that the GOM gave the lower house's Foreign Affairs and National Defense committee just 24 hours to consider the copyright law. Zarouf, Auajjar's fellow member on the Foreign Affairs and National Defense committee, shared Auajjar's frustrations, but as host of the dinner was less willing to be drawn out. (NB: the patent/trademark bill was deliberated in the lower house's Productive Sectors committee.)

¶2. (C) Auajjar stated that the government's handling of the bill reflects a lack of respect for parliament and its role in the legislative process. "We were taken for nobodies," he commented. Auajjar lamented that democracy was the big loser in the process. Taking it a step further, he argued that the U.S. shares the blame because of the pressure it placed on the GOM to ensure swift passage. "What is the Moroccan market for the U.S. economy?," he asked. By putting its national economic interests above its support for the democratic process, he charged, the U.S. adopted a double standard and provided fodder to the fundamentalists who oppose the country's democratic opening. There is no reason why these bills, out of respect for the democratic process, he argued, could not have waited until July 2006 to be passed.

¶3. (C) Poloff responded that the GOM had ample time to prepare the legislation to allow parliament a sufficient window for deliberating the bills. Auajjar slowly relented and said that he was aware that by pushing the Moroccan government the Embassy was just doing its job. "Our government failed us though," he conceded. Poloff asked why the GOM delayed so long in submitting the legislation to parliament. "Because the King did not convene the Council of Ministers earlier," Auajjar responded.

¶4. (SBU) More vocally than other parties, the Islamist Party for Justice and Development (PJD) also seized on the FTA to direct criticism at the Moroccan government for kow-towing to

U.S. pressure. On December 15, the party's newspaper Attajdid carried an article in which Abdelkader Amara, member of the PJD's general secretariat, criticized the government for not giving parliament sufficient time to debate the copyright bill. Amara accused the government of not taking the parliament seriously and of caving in to U.S. pressure to pass the law by the January 1, 2006 deadline. The party published on its website the 35 amendments it put forward in committee, noted that they were never considered, and invited citizens to review them to see for themselves that the law, in the party's view, does not favor Moroccan interests. On December 21, the party announced it would sue Moroccan television station TVM for its "biased" coverage in its December 16 newscasts, which made no mention of the party's amendments, according to Moroccan press reports. On December 22, the PJD vowed that, henceforth, its MPs will wear arm bands during parliamentary sessions in protest of the lack of seriousness with which the parliament is treated, according to press reports.

Comment

15. (C) The government should be applauded for meeting the deadline for bringing its intellectual property regime into compliance with the terms of the FTA, but it is unfortunate that it waited so long to submit the necessary implementing legislation to parliament, thereby providing less than satisfactory time for parliamentarians to review the legislation. While parliamentary frustration is to a certain extent justified, there are numerous other instances in which the Moroccan parliament does not assert its prerogatives, thereby perpetuating a widely held view that the parliament does not really matter in Morocco. It is precisely this kind of problem that U.S.-funded parliamentary strengthening

programs are designed to confront. While the MPs' criticisms are directed mostly toward what they believe is the GOM's lack of respect for parliament, because the concerns stem from FTA-related legislation, the U.S., by association, has also come under some fire. The episode, as Auajjar suggests, has provided fuel to FTA detractors and those quick to criticize the U.S. The PJD especially, which abstained in parliament's January 2005 vote on the FTA, has seized on the issue. Taking advantage of the episode to frame itself as the lone defender of Moroccan interests and the only party seeking a government that is more accountable and transparent, the PJD strikes us as a party whose sights are squarely on the 2007 parliamentary elections.

16. (C) It is also worth pondering what the parliament would have done with the legislation had it had more time to consider it: alter the pre-negotiated working of the laws? Risk delaying or canceling the FTA by debating the pros and cons of copyright? In a way the parliament is off the hook if the FTA fails "to deliver" but can still claim credit for its successes. Moreover, parliament's earlier handling of the FTA legislation committed them to these legal adoptions.

END COMMENT.

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